

**GOVERNMENT ADMINISTRATION AND
ELECTIONS COMMITTEE
TESTIMONY February 29, 2016**

Submitted by: George Cody, Reg. of Voters, New Canaan

**In Opposition To: Raised Bill 252; AAC Post Election Audit
Integrity and Efficiency.**

Senator Cassano, Representative Jutilla, Senator Gerratana, and Representative Alexander; My Name is George Cody, Registrar of Voters New Canaan. Variations of RB 252, the 'Audit Bill' have been introduced several times over the recent past, and I have testified before this committee regarding a number of elements contained in the current version.

The bill covers a wide spectrum of post-election Audit, storage, and reporting issues and greatly changes the current post election process. A number of changes are warranted, but several other proposed changes require closer scrutiny and caution.

Critical to the issue of post-election audits is an understanding that the purpose of these audits is to test the accuracy of the tabulators. Audits should not be confused with a discrepancy or recanvas (Close vote recount), when all ballots are recounted. Accordingly, only those ballots that were processed through the tabulators were to be included in the audit. There is a provision in Section 1 which would include the counting of hand counted ballots when 50 or more ballots were hand counted. The inclusion of hand counted ballots will lead to confusion and an inaccurate test.

While the reduction in the percentage of polling places subject to an audit will go from 10% to 5% would appear on the surface as a reduction in time and cost, the expansion of the audit to include absentee and election day ballots, and any questions on the ballot along with new write-in reporting will complicate an already complicated process. The proposed bill also includes the possible hand audit of the electronic audits.

There is also an increase in the number of election reports to be reported to the Sec. of State including the individual Moderator reports from every polling place in Connecticut and their posting on the SOTS website.

We are entering into the Presidential election year cycle with the Presidential Preference Primary, possible State primaries, and the Presidential election itself. 2015 saw the enactment of major election reform legislation effecting the operation of elections and reporting that is just going into effect. In light of this, adding an entirely new layer of procedural and reporting changes this year would not be advisable. Legislating the operation and procedures of an electronic auditing system that is still in the developmental stage, should not be undertaken until we have a firm idea of what it will include.

As stated earlier, many of the proposed changes would have a positive effect, but taken in their whole, warrant caution and further study.

- The proposal to switch the storage of historical ballots and absentee materials from the Town Clerk to the Registrars assumes that Registrars have the secure storage capabilities.
- Section 1,(2) appears to require the SOTS to conduct a second drawing of 5% of municipalities to conduct an audit of all centrally counted absentee ballots.
- The Electronic audit provisions include putting a distinguishing mark on every audited ballot, and the posting of all ballots on both the SOTS and local Registrar's websites.
- The audited tabulators and memory cards would have to remain sealed until UCONN completes their study and their report is submitted to the SOTS and Election Enforcement; up to 6 months later.

- The proposed bill also allows the Audit Report to be used as "prima facie evidence of a discrepancy in any contest" (Section 1H)

I would like to see the Committee hold off on this bill, allowing proper analysis and the ultimate inclusion of many of its better parts.

Thank you for your time and attention to this matter.